

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
REGULAR BOARD MEETING**

DRAFT MINUTES

DECEMBER 2, 2020

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED
MSF = MOTION: MADE, SECOND: FAILED)**

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:00 A.M. WEDNESDAY, DECEMBER 2, 2020 IN THE MEETING ROOM AT THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD OFFICE, 11351 W. CHINDEN BLVD BLDG 6, BOISE, IDAHO 83714 AND THROUGH ZOOM. BOARD MEMBERS WAYNE HUNSUCKER (ACTING CHAIRMAN), ZACH MASON, BRAD COMPTON, LOUISE STARK, AND TAMMY OVERACKER ALL PARTICIPATED BY ZOOM. ALSO PARTICIPATING BY ZOOM WERE BOARD ATTORNEYS ROGER HALES AND JOAN CALLAHAN, AND PROSECUTING ATTORNEY MIKE KANE. PRESENT IN THE OFFICE WERE EXECUTIVE DIRECTOR LORI THOMASON AND OFFICE SUPERVISOR AMANDA HARPER.

ROLL CALL: A roll call was taken.

MEETING OVERVIEW – Acting Chairman Wayne Hunsucker gave an overview of the Board meeting.

Colton Charles Newsom – Guide License Hearing – A guide license hearing was conducted by the Board's Prosecuting Attorney Mike Kane. Colton Newsom, the applicant, was identified and placed under oath. Mr. Kane explained that Director Thomason, by Board policy, had deferred Mr. Newsom's new guide license application due to the Enforcement Division's review and scoring of Mr. Newsom's flagrant fish and game conviction not disclosed on his application. Mr. Newsom is seeking a guide license to work for Wilderness Mule LLC. Mr. Newsom testified, and certain exhibits were introduced into evidence. **MSC (MOTION: STARK; SECOND: MASON; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) TO GRANT MR. NEWSOM A GUIDE LICENSE WITH TWO YEARS RESTRICTED PROBATION.**

With no other hearings to be conducted Prosecuting Attorney Mike Kane excused himself at 8:46 a.m.

IDOPL ADMINISTRATOR – Russ Barron, Administrator for the Idaho Division of Occupational and Professional Licenses (IDOPL), introduced himself to the Board. He gave the history and how the Idaho Division of Occupational and Professional Licenses was created, and where the Division will be going moving forward. The Board gave their appreciation to Mr. Barron for keeping them updated during this transition.

BOARD MEMBER TRAINING – Nicholas Krema, General Counsel for IDOPL, gave a presentation and training on the powers and duties of Board members. This training helps understand the role of self-governing boards in protecting the health, safety, and welfare of the public. He explained that advocating for the business interested of the profession is not the role of the Board. The Board expressed their appreciation to Mr. Krema for his time and presentation.

MSC (MOTION: COMPTON; SECOND: OVERACKER; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) AMEND AGENDA TO MOVE ENFORCEMENT AGENDA ITEM AHEAD TO THE CURRENT TIME.

IOGLB Enforcement Case: Mack Boyd Tallent for an IDFG misdemeanor not disclosed on application, for Operation of Off-Road Vehicle in Prohibited Area. **MSC (MOTION: STARK; SECOND: MASON; AYES: COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES: - NONE) TO ACCEPT THE \$200 FINE FROM MACK TALLENT.**

IOGLB Enforcement Case: Michael Patrick Raymondi for a misdemeanor violation disclosed on application of Unlawful Entry, Malicious Injury to Property. **MSC (MOTION: MASON; SECOND: STARK; AYES: COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES: - NONE) TO ACCEPT THE \$450 FINE FROM MICHAEL RAYMONDI AND ONE YEAR GENERAL PROBATION.**

EDUCATION AND ENFORCEMENT REPORT – ENFORCEMENT POSITION – Director Lori Thomason reported that in the absence of a permanent Enforcement Chief, Randy White has been filling in. She continued that a position has been posted to fill the vacancy. The applicant that is selected will fill a dual position that will be shared with other IDOPL boards. Dawn Hall, Division Chief for IDOPL, informed the Board that when the new employee is working under the other IDOPL boards, they will be compensated through that specific Board. **Enforcement Agents** – Director Thomason stated that currently there are two agents employed with the Board. There has been interest by other agents, and Ms. Thomason will be sending information to them. She is still looking for an agent for central Idaho. Chairman Hunsucker expressed his concern about the lack of education and enforcement presence in the field. Ms. Thomason stated that as soon as a new Enforcement Investigator has been selected, she will work with Mr. White to get them up to speed and get an education and enforcement presence back in the field. **Supervision of Enforcement Agent** – Board Member Brad Compton asked for clarification on who will supervise the new Enforcement agent and in the long term of the IDOPL vision, will there be a single enforcement division that will serve all the Boards and Commissions. Ms. Hall stated that the structure is still not yet established completely, but the goal is to have a supervisor over each of the different divisions within IDOPL. Mr. Hunsucker asked that Director Thomason keep the Board up to date on what is happening in the field with enforcement.

MSC (MOTION: COMPTON; SECOND: OVERACKER; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) AMEND AGENDA TO MOVE THE DIRECTORS REPORT AGENDA ITEM AHEAD TO THE CURRENT TIME.

DIRECTOR'S REPORT – Whitefish, Montana Panel – Director Thomason explained that in October 2020, she was asked to be a participant on the Commercial Recreational, Licensing and Permitting Panel out of Whitefish, Montana. She explained that Idaho has, among the bordering states, been looked to as a model on how outfitters are licensed to help mitigate the conflict and congestion by sectioning out the rivers and hunting operating areas. She provided them with Idaho Statutes and Rules and let the Panel know that Idaho works with Idaho Fish and Game, the US Forest Service, the Bureau of Land Management, and other land managers when licensing outfitters. **2021 Renewals** – IOGLB has launched the new online outfitter use reporting tool. Access Idaho is also open as of December 1st for the Outfitter and Designated Agent licenses to be renewed. She explained that two new flags have been added through the database that will only allow the outfitters access to pay for their renewal once their use reports are submitted and a current certificate of liability insurance is on file. Board member Stark asked to revisit this conversation at the regular scheduled time for the Director's Report. **32nd Annual Employment Law Seminar** – Director Thomason let the Board know she attended the 32nd Annual

Parsons Behle and Latimer Employment Law Seminar. She explained the seminar covered employment law, mental health, Covid-19, and what employers need to take into consideration with State and Federal regulations. She continued that IDOPL leadership has been excellent with communication and helping employees feel comfortable during these unprecedented times dealing with Covid-19.

IDFG UPDATE – Jon Rachael, Regional Supervisor with the Idaho Department of Fish and Game (IDFG), appeared before the Board and gave an update. **Steelhead** – The Fish and Game Commission extended the reduced bag limit on Steelhead through the spring season, and in all the rivers that have an open steelhead season. The daily bag is two steelhead. **Fish and Game Commission Action to Manage Non-Resident Hunting Participation** – The Fish and Game Commission has managed non-resident participation for many years. The new authority that was received during the last Legislative Session gave IDFG the ability to limit the participation of non-residents in general season deer and elk hunts to no less than 10% of the average participation of non-residents from the previous five years. Through 2020 there were six zones that had capped A tags and thirteen zones with capped B tags that already had limits on non-resident participation and tags allocated to outfitters. The Commission's action was addressing the twenty zones that had A tags and six zones that had B tags that were not already capped. The Commission evaluated the nonresident participation for the past five years, looked at hunter congestion, evaluated non-resident hunter density and considered several possible actions by the Commission, including limiting all the zones to 15% of non-resident participation. Ultimately, there was a different approach developed on a sliding scale based on current participation of non-residents. The final and adopted proposal was a look at the uncapped A and B tags zones. In the zones where the average participation of non-residents in the previous five years were equal to or more than 15%, the Commission limited non-resident participation to 15%. For the zones where participation was equal to or more than 10% but less than 15%, the non-resident participation was reduced to 10%. In the zones where the non-resident participation was less than 10%, the ceiling was set at 10%. The total high use in currently uncapped zones (A and B tags combined) was 819 tags. This number exceeds the available tags of 482; therefore, the limit was prorated to 58.8%. There are 1,985 deer tags available. For regular deer tags the sliding scale proposal covers highest reported use in 83 units, and for white-tailed deer tags the sliding scale proposal covers highest reported use in 54 units. In the backcountry units, non-resident tags were limited to status quo for the previous five-year average of non-residents. The Commission exercised its option in statute to allocate tags from the set-aside for outfitted clients based on the total of the highest of the last two years of use in the zones and units in an amount that would not exceed 50% of the nonresident quota of the capped hunts. The Commission incorporated the outfitter use data received from the Board. They provided their best interpretation of the information available given that outfitters report hunter use by species, unit, and week of season to the Board. The Commission also applied the sliding scale approach that was used to limit the nonresident tags when there were not enough tags in the set-aside to satisfy the high use reported. **December 1st Sales** – The new license vendor came on board as of November 1st. Non-resident tags went on sale at 10:00 a.m. on December 1st. With the large number of customers logging in at once, there was some bandwidth issues, but all in all, the day was a success. **Outfitter Allocated Tags** – In advance of the non-resident tag sales, IDFG pulled out all the tags that are allocated to outfitted clients. Those tags were not included as part of the tags that went on sale December 1st. They are being held to be designated by IOGLB to individual outfitters. The outfitters that bought tags on December 1st from the non-resident pool and would like to convert the tags to their allocation will need to go back to the regional offices and fill out a form to convert the tags to their allocation. **Board Member Questions** – Board Member Stark requested that he send his slide presentation to the Board for the Board to make available to the public given the big change that happened. He consented. She also asked if the Department would let the Board know if it needs the Board to collect different use for the 2021 year if there are any concerns that the new IDFG licensing system will not be able capture the outfitter use data. Mr. Rachael stated that as long as the outfitters follow through with filling out the correct forms then all the information will be able to be queried in the new

system. Board Member Stark had a follow-up comment for Board Staff that licensees will need to understand that the numbers that IDFG used were not the 2020 use data and that 2020 data is not collected yet. The Board was requested to provide 2018 and 2019 use because this season setting change occurred in 2020. So, the last two years fell back to 2018 and 2019. She noted that the Board already has a letter on its website that speaks to what will be used for the upcoming March meeting adjustments, if they happen. But, this brand-new change to account for hunter congestion and an appropriate allocation is done. She expressed concerned that some outfitters may believe that 2020 numbers may be used, but the Commission has already approved it, and now, the Board has to distribute the tags. Board Member Compton asked for clarification that the Commission allocated tags for regular deer and white-tailed deer general tags and uncapped elk zones, but the Commission has not set allocations for capped elk zones or controlled deer or elk hunts and that will occur in March. He also asked if Mr. Rachael anticipated changes in the number of allocated tags in the existing capped elk hunts and controlled hunts. Mr. Rachael said Mr. Compton is correct, but the Commission has not taken adopted any changes to the previously capped hunts or taken action on controlled hunts. That would be part of the 2021 season setting process that will happen at the Commission's March meeting. It is possible the Commission will consider adjustments to the quotas and level of caps, and he anticipated some changes to some controlled hunt numbers, which could affect allocated tags. But, until the Commission takes action on season setting under its proclamation authority in March, he cannot say what will happen with the allocated tag numbers in the previously capped and controlled hunts.

HARDSHIP REQUEST HEARING – DEADLINE OUTFITTERS LLC – A hardship request hearing was conducted by the Board's Attorney Joan Callahan. The Designated Agent for the petitioner, Deadline Outfitters LLC, was not present. Ms. Callahan stated that a hardship request was submitted asking to maintain its number of previously designated allocated tag as the outfitter's use for 2020 for controlled hunts 2220 and 2221 because the outfitter was unable to use its designated allocated tags in those hunts because of wildfires. The Board reviewed the written hardship request and materials submitted by the petitioner, and with no party to question the Board entered deliberations. **MSC (MOTION: STARK; SECOND: COMPTON; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) APPROVE THE HARDSHIP REQUEST MADE BY DEADLINE OUTFITTERS LLC.**

HARDSHIP REQUEST HEARING – MIDDLE FORK RANCH INC – A hardship request hearing was conducted by the Board's Attorney Joan Callahan. Mike Narachi, Designated Agent for Middlefork Ranch Inc., was present for the hearing. Ms. Callahan explained that a notice of hearing was sent to all outfitters in the hunt as directed in the statute, and that one comment by Mile High Outfitters of Idaho Inc. had been received. She continued that Mile High Outfitters of Idaho Inc is being treated as an interested person rather than a party. Mile High Outfitters of Idaho, Inc was not present, but the written comment was included in the hearing packet. Mr. Narachi testified about the efforts they made to use the designated allocated tags and that many hunts had to be cancelled because the nature of travel and their business made it impossible to operate with the COVID-19 guidelines, but that the nature of travel and the business meant that many of the planned hunts, and the Board reviewed the written hardship request and materials submitted by the petitioner and interested person. Ms. Callahan stated that a hardship request was submitted asking to maintain the allocated tag use for 2020 of 32 Middle Fork A tags, 36 Middle Fork B tags, and 12 Controlled Hunt 1160 tags. *Due to a potential professional conflict Board member Tammy Overacker recused herself from the hearing.* Mr. Narachi asked the Board to formally amend his hardship request asking to maintain the designated allocated tags of 14 Middle Fork A tags, 18 Middle Fork B tags, and 12 Controlled Hunt 1160 tags for 2020. In making the motion, Board Member Stark noted that the Middle Fork Zone was not fully subscribed in 2020 for tag purchases, and so there were plenty of Middle Fork tags in the pool for 2020. No other hunt outfitters in Middle Fork would be

put at risk by approving the hardship request. Board Member Compton noted the difficulties that all kinds of businesses have experienced great challenges during the COVID-19 pandemic and appreciated that the outfitter focused on the health and safety of their clients even at the risk of losing credited use. **MSC (MOTION: STARK; SECOND: COMPTON; AYES – COMPTON, MASON, STARK, AND HUNSUCKER; NAYES – NONE; OVERACKER RECUSED) APPROVE THE AMENDED HARDSHIP REQUEST MADE BY MIDDLE FORK RANCH, INC. IN REGARD TO THEIR DESIGNATED ALLOCATED TAGS USE NUMBERS BEING 14 MIDDLEFORK A TAGS, 18 MIDDLE FORK B TAGS, AND 12 CONTROLLED HUNT 1160 TAGS.**

DESIGNATION OF ALLOCATED TAGS IN UNCAPPED ELK ZONES AND REGULAR DEER TAGS AND WHITE-TAILED DEER TAGS – Board Counsel Joan Callahan stated this term is relative to the IDFG Commission action at their November 20, 2020 meeting and the newly allocated tags for uncapped elk hunts and regular and white-tailed deer tags. The Board is in a unique position in deciding what use years the Board will need to use in designating the newly allocated tags in the deer units and elk zones. The Board will need to decide how it wants to proceed with designating those allocated tags. In reviewing the statutory definitions, the newly allocated tags are most similar to a capped hunt versus a controlled hunt that is done by a lottery system. Therefore, the Board would apply the rules that apply to capped hunts. There were no questions, discussion, or objections to using the law and rules that apply to capped hunts to the newly allocated tags. Ms. Callahan explained that the language in Idaho Code Section 36-2120 allows the Board to either wait until the Commission does the big game season setting in March 2021 or the Board has the discretion to work through the designation before the season setting meeting. She continued that the Board will also need to decide which set of years of Outfitter self-reported use will be used in calculating the designation of the newly allocated tags, either 2018 and 2019 or 2019 and 2020. Ms. Callahan stated that the Board staff has recommended having Outfitters affirmatively report their use numbers for the zone or unit and tag type for the years the Board decides to use and if the information is not reported back by a set date the Board staff will use the best data available, which is the already self-reported use that was previously submitted. There was discussion about whether the Board needed to immediately act to distribute the allocated tags or whether the Board could wait until after the March Commission meeting when it is expected that the Commission would set big game seasons and allocate tags in existing capped and controlled hunts, about the years of use to be included in the calculation depending on when the Board acted, the method of determining each outfitter's outfitted hunter tag use history given the difficulties with the accuracy of use reports. Board Member Stark noted that the 2020 season was not done yet and that IDFG used 2018 and 2019 to allocate the tags. Board Member Overacker agreed with Board Member Stark that 2018 and 2019 are the correct years to use for the calculation. The Idaho Outfitters and Guides Association was invited to comment. President Jeff Bitton stated that he believed the law said the last two years and that would be 2018 and 2019. Mr. Bitton and Executive Director, Aaron Liberman, noted that the industry has not been able to be surveyed. John Watts, representing Boulder Creek Outfitters and Scotlyn Ranch. Mr. Watts concurred that the law said the last two years, which would be 2018 and 2019 data. He also noted IDFG used 2018 and 2019. He was also concerned that 2020 numbers could be low because of COVID-19. Flying J Outfitters sent in a comment that requested that the outfitters be allowed to choose their highest years of use between 2018, 2019, and 2020. Ash Jenkins, a licensed outfitter, addressed the Board and requested the Board delay the decision until the January decision because the outfitters have been focused on the sale of the nonresident tags. Mr. Bitton also noted that outfitters needed to work through this transition time and to be able to market tags as soon as possible. It is time to reflect back on the data set that was used, for 2018 and 2019, and the Board's job is now to designate those tags. **MSC (MOTION: COMPTON; SECOND: OVERACKER; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) ADOPT THE STAFF RECOMMENDATION TO HAVE OUTFITTERS AFFIRMATIVELY REPORT THEIR USE BY UNIT, ZONE, AND TAG TYPE FOR YEARS 2018 AND 2019.**

MSC (MOTION; STARK; SECOND: OVERACKER; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) BOARD STAFF TO PROCEED WITH THE CALCULATION FOR THE NEWLY CAPPED HUNT DESIGNATIONS PRIOR TO THE COMMISSIONS JANUARY MEETING AND AN UPDATED TIMELINE BE PROVIDED TO BOARD MEMBERS AS STAFF MOVES FORWARD WITH CALCULATIONS.

SHOSHONE COUNTY PROSECUTOR HUNT EXCHANGE WEBSITE ISSUE – Benjamin Allen, Prosecuting Attorney in Northern Idaho, discussed with the Board a growing concern of hunts in Idaho being exchanged with hunts elsewhere, as opposed to exchanging a hunt for monetary consideration. He stated that with a rise in the hunt exchange platforms absent in review of other States Laws and how their prohibitions against unlawful guiding and outfitting are worded, it appears that they are trying to find a gap in the law where they are assuming the prohibition against guiding and outfitting just relies upon an understanding that it's for some kind of monetary compensation, and that you don't have to pursue the services of an outfitter or guide in the State you are wanting to go to. He stated that as a Prosecuting Attorney and sportsman, he would love to see a formal position be taken by the Idaho Outfitters and Guides Licensing Board in three different areas:

1. As the Idaho Board, make a public declaration of how the Board uses the definition of consideration and compensation.
2. A formal letter drafted to be sent out to the hunt exchange platforms as they pop up that outlines a cease and desist component and the violations of law.
3. A formal legal position.

He said that if the Board does not want to classify the hunt exchanges as a violation of outfitting and guiding code, then that needs to be made aware to the public. Board Counsel recommended IOGLB coordinate with other agencies and government officials, and if it was decided to do a formal legal position a statute change and clarification in rule would be appropriate. Mr. Allen stated that if a letter of legal position was something the Board wanted to move forward with, he would be happy to serve as a bridge between the Board and the Prosecuting Attorneys Association to solicit support in the position for the Board and how the definitions are defined and the inclusion of hunt exchanges. The Board members stated they would like to discuss this topic further during the next rules review year.

POLICY ISSUE – ENFORCEMENT – OUTFITTING OR GUIDING WITHOUT A LICENSE -

Director Thomason asked the Board to what extent do they want to spend the Board's resources on illegal outfitting. She stated that historically, resources have been spent on licensed outfitters and guides and that due to being administrative law, IOGLB has worked with other state and federal agencies on illegal outfitting. She asked for direction and clarification on whether the Board wanted to change its policy of dealing with illegal outfitting with other agencies. Board member Compton stated that once a new enforcement agent is hired, a broader discussion needs to happen to keep everyone on the same path. The Chair stated that when illegal outfitting is identified it needs to be addressed, but that is not the primary emphasis for the Board, due to the Board's limited resources. The Board gave direction to continue with first educating persons conducting illegal outfitting, and if there needs to be further education or enforcement, the enforcement agent will work collaboratively with other State and Federal agencies to address it.

POLICY ISSUE – ADMINISTRATIVE – FAILURE TO DISCLOSE INFORMATION ON AN APPLICATION

– Board Counsel explained that historically the Board has delegated additional authority by Board Policy on how to review and score an applicant's criminal or administrative convictions and to allow the Executive Director to approve an application even when an application has failed to disclose information in response to the "Have" "Have Never" questions about the applicant's history of criminal or administrative convictions. Previously a \$50 fee was assessed when dealing with

these applications, but recently special processing fees have been taken out of rule. She continued that the complicating factor is that the online application allows for a 20-day temporary license, if the applicant has marked they meet all the qualifications and they do not have any criminal or administrative convictions and the outfitter certifies the application. Then, a full application review is done, which shows the applicant has criminal or administrative convictions, and may even be required to appear before the Board. This is not uncommon. The 20-day temporary license basically incentivizes people to check "Have Never" so that a temporary license is given or just a \$50 special processing fee is assessed. Given the elimination of the special processing fee has been eliminated and the prevalence of the issue, it is being brought before the Board. The Board could take a course of a potential disciplinary action against outfitters who repeatedly have guides that do not disclose information on the application as a way to take away the incentive to not ask questions that the outfitter should be asking and allowing the full application to be reviewed prior to be issuing the license. Board staff would like a course of action that takes away the disincentive for the applicant and outfitter to fill out the application fully and truthfully. Director Thomason continued that when the 20-day temporary license was first started and because of technology, but it was taking an extended amount of time to get a license issued. Now there is a very short window, sometimes a matter of one day, for the licenses to be emailed out. It was noted that the outfitters likely have come to depend on the 20-day temporary license. But, Board Counsel continued that there is not a strong basis in the law for a 20-day temporary license. Typically, licensing acts specifically state the availability and conditions for a temporary license. There was discussion about what course of action could be taken on a license that was issued based on incomplete or incorrect information, and what grounds for discipline exist for a new applicant, renewal applicant, and the certifying outfitter. There was concern about whether there was a mandatory Board hearing required when information is not disclosed on the application and the significant cost to the Board of that. Ms. Callahan stated that IOGLB Enforcement Policy 3008 provides additional authority that supports the Board staff practice that gives the Executive Director some additional authority to approve some applications without the need of a Board hearing. She recommended that when the Board does their Rule review and replace, the enforcement rule needs be cleaned up so that the authority is in one central location to make it clearer and more concise. Board Member Stark had concerns about eliminating a temporary license for renewal applicants because outfitters need to immediately get a guide. Board members Hunsucker and Mason shared the concern for the outfitter getting renewal applicants immediately licensed and on the river. There was less concern about eliminating it for new applicants. The Board did not make changes to its practice with the 20-day temporary license. The Board directed Ms. Thomason to continue with the direction she has previously been given as stated in Policy 3008 when it comes to the scoring of applications. She was also directed to look at the litigation questions on the guide applications to review the questions to see if they could be reworded to get more accurate information.

PAYETTE NATIONAL FOREST OUTFITTER SNOWMOBILE PROSPECTUS – Jascha Zeitlin, Recreation Program Manager for the USDA Payette National Forest, Weiser and Council Ranger Districts, explained that there was interest and public demand for outfitted and guided snowmobiling and winter services in the Weiser and Council districts, particularly where there were already several outfitters operating in the McCall area. He continued that based on a needs assessment there seemed to public need, and because of that a prospectus package was put together and new outfitters and guides were solicited to provide those activities. He stated that two applications were received, Mountain Meadows Adventures Rentals and America's Rafting Co LLC. In the prospectus package, the full operating area was divided into three different areas. **MSC (MOTION: MASON; SECOND: STARK; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) GO INTO EXECUTIVE SESSION TO CONSIDER RECORDS EXEMPT FROM DISCLOSURE UNDER I.C. § 74-206(1)(d) AT 3:16 P.M.**

EXECUTIVE SESSION – MSC (MOTION: STARK; SECOND: OVERACKER; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) TO COME OUT OF EXECUTIVE SESSION WITH NO DECISION MADE.

cont. PAYETTE NATIONAL FOREST OUTFITTER SNOWMOBILE PROSPECTUS – After a review and scoring, Mountain Meadows Adventures Rentals received a total score of 347 and America's Rafting Co LLC received a total score of 356. Mr. Zeitlin stated that based on the quality of both applications, a fair way to award the prospectus would be to award America's Rafting Co areas 1 and 2 and for both America's Rafting Co and Mountain Meadows Adventures Rentals to have a portion of the use days in area 3. **MSC (MOTION: MASON; SECOND: COMPTON; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) LICENSE AMERICAN RAFTING CO LLC FOR ALL THREE AREAS AND MOUNTAIN MEADOWS ADVENTURES RENTALS AREA THREE WITH THE FOREST SERVICE ASSESSING USE DAYS APPROPRIATELY.**

cont. DIRECTORS REPORT – Use Reporting – Board member Stark stated that after having a chance to look at the new outfitter use reports that went from a paper form to the online form, she felt they were very cumbersome and asked for removal of information that is not a Board concern. She asked that the live use report website be suspended, and a subcommittee be created with participants from the Board, Board staff, and the IOGA to look at updating the use reports, and then for them to be rereleased to the outfitters. Office Supervisor Amanda Harper stated she would contact the website developer and ask him to suspend the website, pending changes. She continued that a mass email will be sent informing all outfitters of the suspension to the website, and once the website is back up and running a subsequent email will be sent.

PETITION TO SUBMIT AN AMENDMENT APPLICATION - A hearing was held to consider the petition submitted by Erik Weiseth, Designated Agent, on behalf of licensed Outfitter Chipor Holdings, LLC requesting to submit a major amendment application in lieu of an application for a new outfitter license as would be required by Board Policy 2003 "Setting Territorial Limits on Outfitter's License." Mr. Weiseth submitted a written statement and testified in favor of the petition. **MSC (MOTION: OVERACKER SECOND: MASON; AYES – STARK, OVERACKER, MASON, HUNSUCKER AND COMPTON; NAYES – NONE) TO DENY THE PETITION AND TO INITIATE REVIEW AND ANALYSIS OF BOARD POLICY 2003 TO CONSIDER WHETHER AND WHICH CHANGES MIGHT BE MADE TO EASE THE ADMINISTRATIVE AND FINANCIAL BURDEN TO LICENSEES WHO HOLD MULTIPLE LICENSES OR WHO WANT TO PURCHASE ADDITIONAL OUTFITTING BUSINESSES.**

FINANCIAL REPORT – AUDIT – Director Thomason stated IOGLB had a financial audit and there were no findings. Board member Compton gave appreciation to the Board staff for the clean audit. **MOVE TO THE CHINDEN CAMPUS** – Director Thomason stated that the move to the Chinden campus cost \$5,724.85. **BUDGET** – Director Thomason reported on the revision to the FY22 budget due to the move to the Chinden Campus. **FINANCIAL REPORT** – The Board reviewed the financial report for July, August, September, and October 2020. **MSC (MOTION: MASON; SECOND: STARK; AYES – COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) APPROVE THE FINANCIAL REPORT AS PRESENTED.**

CONSENT AGENDA – The Board reviewed the Consent Agenda. **Ice Fishing** – Director Thomason explained that there is a currently licensed individual who has applied for ice fishing in an area they are not licensed in, but where other fishing activities are. She asked the Board if this would be considered a new opportunity, and how they want to move forward without bypassing any competitive interest in the

new opportunity. The Board directed Ms. Thomason to follow up with the respective land manager and fish and game and determine if there is competitive interest. If there is, see if they would move forward with a simple advertisement in their local paper. They advised that if there is no competitive interest then move forward with licensing the individual, but if there is, then move forward as the Rule sets forth.

MSC (MOTION: STARK; SECOND: OVERACKER; AYES –COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) APPROVE THE CONSENT AGENDA AS PRESENTED.

A special Board meeting was scheduled for January 26th at 9:00 a.m. Additionally a regular Board meeting was scheduled for March 30th -31st at 9:00 a.m.

MSC (MOTION: COMPTON; SECOND: MASON; AYES –COMPTON, MASON, OVERACKER, STARK, AND HUNSUCKER; NAYES – NONE) ADJOURN THE MEETING AT 6:00 P.M.


BRAD COMPTON, BOARD CHAIRMAN

6/15/21
Date

ATTEST:


LORI THOMASON, EXECUTIVE DIRECTOR

6-15-21
Date